



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Finlay et al.

Serial No.: 10/039,760

Filed: January 3, 2002

Title: ENTEROHEMORRHAGIC

ESCHERICHIA COLI VACCINE

Examiner: Shahnan-Shah, Khatol S.

TC/A.U.: 1645

Confirmation No. 9198

July 22, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**DECLARATION OF DR. BRETT FINLAY**

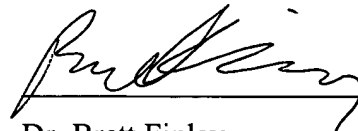
I hereby declare:

1. I am an inventor of the subject matter described and claimed in the above-referenced patent application.
2. I have read the Office Action mailed March 5, 2004 in connection with the above-referenced patent application.
3. Any description in Li et al. (Infection and Immunity 68:5090, 2000) published September 2000, was my sole contribution, notwithstanding the inclusion of additional authors Yuling Li, Elizabeth Frey, and Andrew M. R. Mackenzie. More specifically, Yuling Li and Elizabeth Frey worked in my laboratory under my direction, and Andrew M. R. Mackenzie obtained and provided human serum samples but did not otherwise contribute to the work described in Li et al.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued therefrom.

Date: \_\_\_\_\_

7/22/09

  
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Dr. Brett Finlay